

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ILLINOIS NATIONAL INSURANCE COMPANY,
THE INSURANCE COMPANY OF THE STATE
OF PENNSYLVANIA, and NATIONAL UNION
FIRE INSURANCE COMPANY OF
PITTSBURGH, PA,

Plaintiffs,

CASE NO. 11-CV-00431 (KBF)

v.

TUTOR PERINI CORPORATION,

Defendant.

TUTOR PERINI CORPORATION,

Counter-
Plaintiff,

v.

ILLINOIS NATIONAL INSURANCE COMPANY,
THE INSURANCE COMPANY OF THE STATE
OF PENNSYLVANIA, and NATIONAL UNION
FIRE INSURANCE COMPANY OF
PITTSBURGH, PA,

Counter-
Defendants.

TUTOR PERINI CORPORATION'S NOTICE OF MOTION FOR RECONSIDERATION

TO THE HONORABLE COURT:

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of this Motion, Defendant and Third Party Plaintiff Tutor Perini Corporation ("Tutor Perini"), by and through its undersigned counsel, respectfully moves this Court before the Honorable Judge Forrest, on a date and time to be determined by this Court, at the United States Courthouse, 500 Pearl Street, New York, New York, for

an Order, pursuant to Local Rule 6.3 and Fed. R. Civ. P. 59 to reconsider that portion of this Court's Memorandum Decision and Order dated November 15, 2012 (the "Order") granting summary judgment to Third-Party Plaintiff Certain Underwriters at Lloyd's, London ("Lloyd's").

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are to be served pursuant to the briefing schedule so ordered by this Court on November 30, 2012.

Dated: New York, New York
December 14, 2012

Respectfully submitted,

By: /s/ Vianny M. Pichardo
Finley T. Harckham, Esq.
Alexander D. Hardiman, Esq.
Carrie M. DiCanio, Esq.
Vianny M. Pichardo, Esq.
ANDERSON KILL & OLICK, P.C.
1251 Avenue of the Americas
New York, New York 10020
Telephone: (212) 278-1000
Fax: (212) 278-1733
*Attorneys for Defendant and
Third-Party Plaintiff
Tutor Perini Corporation*

TO:

Jonathan Anthony Cipriani (jcipriani@bcnlaw.com)
BATES CAREY NICOLAIDES LLP
191 North Wacker Drive
Suite 2400
Chicago, IL 60606

George Rockas (george.rockas@wilsonelser.com)
Jensen Varghese (jensen.varghese@wilsonelser.com)
Guy Joseph Levasseur (guy.levasseur@wilsonelser.com)
Peri Karger Agulnek (peri.agulnek@wilsonelser.com)
WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP
260 Franklin Street - 14th Floor
Boston, MA 02110-3112

CERTIFICATE OF SERVICE

I, Vianny M. Pichardo, hereby certify that, on December 14, 2012, I served a copy of the within document by delivering the same to the following attorneys by filing by ECF. Notice of this filing was sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

Jonathan Anthony Cipriani (jcipriani@bcnlaw.com)
BATES CAREY NICOLAIDES LLP
191 North Wacker Drive
Suite 2400
Chicago, IL 60606

George Rockas (george.rockas@wilsonelser.com)
Jensen Varghese (jensen.varghese@wilsonelser.com)
Guy Joseph Levasseur (guy.levasseur@wilsonelser.com)
Peri Karger Agulnek (peri.agulnek@wilsonelser.com)
WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP
260 Franklin Street - 14th Floor
Boston, MA 02110-3112

/s/ Vianny M. Pichardo

Vianny M. Pichardo, Esq.